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project began with a three-month review of existing research on the issue. “There has just been a tremendous amount of information on health and coal communities; a lot of it is negative,” she said. But...I grew up in rural Missouri, and there were a lot of the same diseases.” ... The focus of the study, she said, will be on five chronic conditions: heart disease, cancer, hypertension, diabetes and obesity. It will focus on sites where VCOM has residency programs: Bluefield and Danville. Tooke-Rawlins said she has a hypothesis: “Coal mining in a community is not any worse than any other industry that has an impact on the environment and health.”

O’Malley signs chicken arsenic ban

ASSOCIATED PRESS (Md.) ANNAPOLIS, Md. (AP) — Maryland next year will become the first state to ban an arsenic additive in chicken feed.Gov. Martin O’Malley signed the measure into law on Tuesday along with scores of other bills, including reforms to Maryland’s estate tax to help protect family farms and an increase of the allowable high school dropout age from 16 to 17 in 2015 and to 18 in 2017. Delegate Tom Hucker, D-Montgomery, described the ban on the additive in chicken feed as a health and environmental benefit. The measure bans roxarsone, a chemical that’s used to help chickens grow and fight parasites. Pfizer Inc., the company that produces roxarsone, stopped selling the chemical in July after a U.S. Food and Drug Administration study found higher inorganic arsenic levels in chickens given the additive.

Maryland ban on arsenic in chicken feed to spread?

BALTIMORE-SUN Maryland is set to become the first state in the nation to outlaw chicken feed additives containing arsenic - but it won't be the last, if environmental activists have their way. Gov.Martin O'Malleyis scheduled to sign into law today legislation that bars sale or use of any chicken feed containing Roxarsone, which has been widely used since the 1940s by the poultry industry. It would become effective Jan. 1. Environmental and food safety advocates say they hope to push for similar legislation in other states, including neighboring Virginia.

Delaware congressional delegation hosts grant fair and workshop

NEWSWORKS Delawareans have the opportunity today to learn more about the process of seeking grant opportunities at a workshop in Dover.Senators Chris Coons and Tom Carper and Congressman John Carney are hosting the Grant Fair and Workshop from 9:30 a.m. until 2:30 p.m. at Delaware State University's MLK Student Center. "This event will give grant seekers an opportunity to ask questions and get answers to help them with the grant application process," Carper said. Coons said elected officials regularly get calls about federal grant opportunities. "Researching, writing and applying for grants can be a daunting process and we want to do all we can to make the system easier and more accessible for small business owners, entrepreneurs and non-profits," Coons added. Participants in the event include the Environmental Protection Agency, Boeing, Delaware Community Foundation, PSEG, and various agencies and financial institutions. For additional information send an e-mail to DEGrants@mail.house or call the delegation's Delaware offices.

What's in that sippy cup? Toxin battle hits D.C.

HLNtv.COMYou skip right past any children's toy, bottle or bowl that doesn't have a 'BPA Free' label. You dutifully pay the extra 30-cents for a crisp, organic apple instead of feeding your family a conventional one grown with God-knows-what. And when it's time to paint a room, you'd sooner keep the walls bare than use a non-low VOC paint. You also hate cancer. And birth defects. And that is why a "Stroller Brigade" swept across the nation's capitol today: Because while parents and millions of other Americans are expressing serious concern with their voices and wallets about harmful chemicals in everyday items, lawmakers have so far proven mostly reluctant to limit their use. But with the Safe Chemicals Act of 2011 nearing closer to a vote in the Senate Environment and Public Works Committee, this angry army of moms, dads, nurses, cancer survivors and lots and lots of children see a major opportunity to fix that.

\*\*\* MORNING HOT LIST \*\*\*

Editorial: E.P.A. and the Spruce Mine

NEW YORK TIMESÀThe Environmental Protection Agency last year revoked a permit for a planned, 2,278-acre West Virginia coal mine that encapsulated everything wrong with a particularly destructive form of strip mining known as mountaintop removal. Two months ago, however, in a wrongheaded decision, a Federal District Court judge ruled that the agency had not only exceeded its authority but resorted to “magical thinking” to justify its action. The agency has announced that it would appeal the judge’s decision. This is exactly the right move, on two counts. First, the Spruce No. 1 mine would have buried 6.6 miles of streams under tons of mining waste, inflicting permanent damage on the environment and local communities. Second, it is important for the E.P.A. to assert its authority under the Clean Water Act at a time when both the law and the agency are under fire in Congress. Judge Amy Berman Jackson’s ruling turned on whether the agency had the authority to retroactively rescind a permit that had already been granted by the Army Corps of Engineers. She ruled that it did not — that rescinding an approved permit was, in fact, a “stunning power for an agency to arrogate to itself.” As the agency pointed out, Section 404 of the Clean Water Act gives the E.P.A. broad authority to protect water quality, including the power to “withdraw” a permit “whenever” it determines that a project will cause unacceptable damage to the environment. This authority has been used rarely, but it is there. Mountaintop mining involves blasting the tops off mountain ridges to expose subsurface coal seams, then dumping the rubble below. Thousands of miles of streams in Appalachia have been destroyed in this way. The administration is right to stop this mine as part of its broader campaign to halt a ruinous and unnecessary practice.

EPA to Provide Deadlines for District of Columbia Stormwater Permits

BNA DAILY ENVIRONMENT REPORT EPA will provide the District of Columbia with explicit deadlines for meeting interim and final stormwater discharge permit requirements, following an agreement reached with environmental groups. The agreement would require the District of Columbia to develop a stormwater management implementation plan with explicit schedules for reducing stormwater runoff and meeting water quality standards for the Chesapeake Bay. At issue was a stormwater discharge permit that EPA issued in September 2011 for the District of Columbia's municipal separate stormwater sewer system, or MS4. The Natural Resources Defense Council, Earthjustice, and several other environmental groups challenged this permit before the agency's Environmental Appeals Board in November, alleging the permit lacked legally enforceable deadlines for meeting Clean Water Act obligations (216 DEN A-8,

11/8/11). Under the terms of the agreement, EPA said it would insert clear and explicit interim and final deadlines in the permit for the District of Columbia to meet its stormwater discharge obligations, Rebecca Hammer, NRDC's water program attorney, told BNA. EPA Region 3 spokesman David Sternberg said EPA has 55 days from the date of the agreement to issue a draft notice of proposed changes to the permit. The agency will then spend another 180 days before it takes final action on these changes, he said. EPA would meet the 180-day deadline provided it has completed its consultation with other agencies to comply with the Endangered Species Act.

Editorial: Name that chemical

**POCONO RECORD**ÀNew federal disclosure rules mark another positive step toward monitoring the safety of natural gas drilling. Earlier this month the Obama administration announced it will require companies drilling for oil and natural gas on public and Indian lands to publicly disclose chemicals used in hydraulic fracturing operations. This is important in states like Pennsylvania, large portions of which lie atop the gas-rich Marcellus Shale deposit. The new rules are now in a 60-day public comment period. They will also set guidelines on proper well building and disposal of the massive quantities of wastewater that accompanies the drilling process. Government's primary duty is to protect citizens' health and safety. People should know what chemicals drillers use during the hydrofracturing, or "fracking," process drillers use to obtain the gas. Most drilling in the Keystone State is occurring on private lands, but Pennsylvania has leased roughly 700,000 acres of its 2.1 million-acre state forest system to drilling companies. About 175 Marcellus Shale gas wells have been drilled in the state forests or other publicly owned land. The new rules are far from perfect. As originally proposed, they called for drillers to file disclosure reports before drilling, but pressure from the gas industry that the measure would cause delays resulted in changes to allow disclosure after drilling operations are in place. They require reports of the substances, though not the exact formulas, a nod to industry concerns over trade secrets. Because drilling includes chemicals like benzene, toluene, ethylbenzene and xylene, all potentially dangerous to health, many drilling critics will be up in arms regardless of the exact formulas used in the fracking process. Numerous instances of water pollution have already been linked to drilling. And the disclosure rules don't apply to drilling on private land. So requiring that companies make this information available for their drilling activities on public lands will supply only a partial picture. Still, the new rules will help give citizens some ability to track what gas drillers are putting into the ground in their region. That's a good thing.

O'Malley to sign law banning arsenic in chicken feed

**BALTIMORE SUN** Maryland is set to become the first state in the nation to outlaw chicken feed additives containing arsenic - but it won't be the last, if environmental activists have their way. Gov.Martin O'Malley is scheduled to sign into law today legislation that bars sale or use of any chicken feed containing Roxarsone, which has been widely used since the 1940s by the poultry industry. It would become effective Jan. 1. Environmental and food safety advocates say they hope to push for similar legislation in other states, including neighboring Virginia. Roxarsone had been used to prevent disease and plump chickens up. But the drug's maker, a subsidiary of Pfizer Inc., voluntarily suspended sales last year after a Food and Drug Administration study found low levels of inorganic arsenic, a carcinogen, in the livers of birds given the veterinary drug. Other studies have found arsenic in poultry manure and in water ways by crop fields fertilized with the birds' waste. Proponents of the ban argued that use of Roxarsone was adding 25,000 to 30,000 pounds of arsenic to Maryland's soil and waters annually. Supporters and representatives of the poultry industry argued that the state should leave the issue to the FDA, and that Maryland farmers would be at a competitive disadvantage if Roxarsone went back on the market. But proponents argued that the state needed to act because the drug's maker could resume sales at any time, since the FDA had not formally barred it. "Today Maryland shows the nation how to stand up for food safety and the environment," Del. Tom Hucker, D-Montgomery County, the main House sponsor of the legislation, said in a statement. Sen. Paul Pinsky, D-Prince George's County, championed the measure in the Senate

Editorial: Extremes: Climate change

**CHARLESTON GAZETTE**À(Sunday) Last year, America suffered historic weather calamities: disastrous tornadoes, severe floods, extended drought, record-breaking snowfall, raging wildfires, etc. Federal agencies say \$52 billion in property loss was inflicted, and more than 1,000 Americans died in weather ravages. This year brought the warmest March ever known, breaking about 15,000 local U.S. heat records. Early tornadoes again left wreckage and death. Scientists say the violent weather is solid evidence that fossil fuel fumes are girdling Planet Earth with greenhouse gases that produce global warming and climate change. Warmer air holds more moisture, producing more extreme storms. A new study by Yale and George Mason university pollsters found that 70 percent of Americans now believe that "global warming is affecting the weather." Yale professor Anthony Laiserowitz commented: "People are starting to connect the dots." Subsequently, a worldwide "connect the dots" demonstration took place May 5 by environmentalist groups led by reformer Bill McKibben. Some events:

Tanger Outlets cited for air pollution

**SALISBURY DAILY TIMES**ÀWEST OCEAN CITY -- State environmental officials have cited a contractor and Tanger Outlets for air pollution violations connected to building renovations. The Maryland Department of the Environment issued a notice of violation to outlet management and to Premier Exteriors LLC, of South Carolina, for failure to take reasonable precautions to prevent air pollution. According to a complaint, the contractors weren't properly cleaning up after themselves while using polystyrene products. The polystyrene reportedly was being used to re-shape storefronts during ongoing renovations at the former Ocean City Factory Outlets. Kathy Phillips, executive director of Assateague Coastal Trust, filed the complaint April 28. She said while grocery shopping at the Tanger Outlets, she spotted plastic bits blowing through the air and scattered on the pavement. She looked across the parking lot to see workers installing corner accents on pitched roofs in carved Styrofoam design elements. "The parking lot was literally just covered in drift from the little tiny pellets that result from sawing that stuff up and the dust from it," she said. Phillips feared the pieces would wash into storm drains, so she took photos and sent them to MDE water compliance inspectors. The complaint ultimately was handled by the air quality division, she said, because the plastic particles first had been airborne. "This stuff is plastic," she said. "It doesn't go away. It's broken down into these little pellets. Fish, crab, birds, they think it's food. They consume it. It makes them feel like they're full. So they stop eating, and then they die."

# PENNSYLVANIA

## PHILADELPHIA INQUIRER

**From Early Bird** Commentary: US must adapt to new energy landscape (Sunday) The development of Canada's tar sands and North Dakota's Bakken oil shale region have profoundly transformed the U.S. energy landscape. U.S. and Canadian oil production has risen 11 percent since 2010 and could rise by as much as 50 percent over the next decade. More plentiful North American supply has lowered costs for some U.S. refineries, but mainly in places such as Oklahoma and Illinois, where it can be shipped via the Keystone pipeline. But there are no pipelines to carry this oil to the U.S. coastal refining hubs. Thus refining costs in the Midwest have fallen far below those in coastal cities such as Philadelphia. You can see the problem in the difference between the two main types of crude oil traded on global futures exchanges. Brent crude, which comes from the North Sea near Britain, has traded for significantly more than has West Texas Intermediate, the benchmark for North American crude oils. Because Midwestern refineries use crude that follows the WTI price, their owners have reported large profits over the last year. Meanwhile, East Coast refineries, such as the former Sunoco and Conoco plants near Philadelphia, have been mothballed, because expensive crude imports rendered them unprofitable. Without adequate pipeline links to the rest of the country, Pennsylvania, New Jersey, and Delaware refineries must rely in large part on more expensive imported crude from Europe and Africa. East Coast refineries are also set up to produce gasoline as their major product, demand for which is likely to be flat at best over the next decade as Americans shift to more fuel-efficient vehicles. Demand for heating oil, by contrast, is likely to grow modestly, while diesel will remain a fuel of choice for commercial trucking.

**From Early Bird** Researchers study losses of birds hitting buildings At 5:30 a.m., the rain was letting up, but it was still dark as the two men began their rounds of Center City's skyscrapers. They started with a particular alcove, bordered on three sides by glass. Pretty. But not for birds. "They get trapped into this angle," said Stephen Maciejewski, scanning the sidewalk for victims. Confused by all the reflections, "they don't know to turn around." So they fly into the glass, and they die. As they walked from building to building, he and Keith Russell, Audubon Pennsylvania's science and outreach coordinator in Philadelphia, checked spots where they usually find birds - along sidewalks, behind signs, in stairwells, under cars, atop ledges. During spring and fall migrations, from 2008 through 2011, Maciejewski, Russell, and others regularly walked a study area from Market Street to Arch and 17th to 19th, collecting birds and data.

## PITTSBURGH POST-GAZETTE

**From Early Bird** Editorial: No-litter zone: The city gets tough on trashing Pittsburgh If litter is the calling card of those who don't care about their city, Pittsburgh is not quite the livable place it is said to be. As letter writers to the Post-Gazette point out, litter is everywhere in the Golden Triangle and beyond, an eyesore that never seems to go away. Those who care about litter may outnumber the litterbugs, but it doesn't take many acts of thoughtlessness to suggest otherwise -- a discarded cigarette butt here, a fast-food wrapper there. But here's some good news. As staff writer Rich Lord reported Saturday, the city has a new anti-litter coordinator, Missy Rosenfeld, of Carrick. On Friday, she was at Market Square for a press conference with other litter foes to announce the "Don't Trash My Turf Campaign." The new slogan is more catchy than the old "Don't Be a Litterbug" and a bit more menacing -- for good reason. Unrepentant litterbugs may find themselves penalized for their careless ways. As Mayor Luke Ravenstahl said, "We're greenlighting a more aggressive enforcement campaign to attempt to really let people know that we're serious about this." He said police "will be looking for [litterers] and have an increased awareness throughout the bureau." First-time litterbugs could be fined \$15. Education is also part of the effort, with TV ads funded by a \$45,000 grant from the Colcom Foundation. All this is welcome. Litterbugs be gone.

**From Early Bird** Waivers could OK drilling near water (Monday) Concern about the state's ability or commitment to properly regulate the oil and gas industry is "misplaced," Pennsylvania's top regulator of Marcellus Shale gas drilling told the state House of Representatives Republican Policy Committee. Speaking at the committee hearing last week in Aliquippa, Scott Perry, state Department of Environmental Protection deputy secretary for oil and gas management, said the state fully protects water resources by regulating freshwater withdrawals, wastewater discharges and well site development. "Any amount of pollution of public water supplies is completely unacceptable," said Mr. Perry, adding that wider setback requirements in the state's oil and gas law passed earlier this year exclude shale gas development along the Ohio River near a public drinking water intake in Beaver County.

Pennsylvania firm announces \$380M natural gas pipeline expansion PITTSBURGH — A Pennsylvania company plans to invest \$380 million to expand natural gas pipelines in the state, and ultimately link to markets in New Jersey and New York. Penn Virginia Resource Partners, L.P., of Radnor, said Monday that some of the expansions to its Lycoming County pipeline in central Pennsylvania will begin in the next two weeks and be finished later this year. Other parts of the project will continue through 2018. CEO William H. Shea, Jr. said in a statement that the expansions are part of a long-term plan to help bring the bountiful gas production from Pennsylvania's Marcellus Shale to markets in the northeast and New England, where heating oil is used extensively. Shea said the company has signed a 20-year distribution agreement with a subsidiary of Royal Dutch Shell PLC, as well as agreements with Southwestern Energy Co. and Range Resources Co. to extend an existing pipeline an additional 19 miles into Tioga County. The new project will also eventually connect PVR's existing pipeline to Shell's system in Bradford County. The company said it ultimately plans to connect its pipelines to the Tennessee Gas Pipeline, an El Paso Co. project that stretches from the Gulf of Mexico to Canada.

Appeal approved for Washington County man challenging DEP finding on Marcellus contamination Pennsylvania's environmental court has ruled that a Washington County resident may appeal a state Department of Environmental Protection determination that his private water well was not contaminated by nearby Marcellus Shale gas drilling operations. The ruling by the Environmental Hearing Board clears the way for Loren Kiskadden of Amwell to pursue an appeal to the board that alleges the DEP's investigation of his well-contamination complaint was inaccurate and incomplete. Sampling of the well by the DEP and Range Resources in June 2011 found dissolved methane gas, chloroform, butyl alcohol, acetone and high levels of sodium and total dissolved solids. But the DEP concluded the contaminants weren't caused by Range's well drilling or any other gas well development in the area. The DEP said in its September 2011 response letter to Mr. Kiskadden's well contamination complaint, that his water problem was caused by "natural conditions."

### EVENT: Shale author Seamus McGraw in Pittsburgh

Author and journalist **Seamus McGraw** will discuss his book, "**The End of Country**," which chronicles the rise of Marcellus Shale gas drilling near his property in Susquehanna County, Pennsylvania. Hosted by The Allegheny Front's Jennifer Szweda Jordan and the Post-Gazette's Erich Schwartzel. The event takes place at WYEP's Community Broadcast Center (67 Bedford Street, Pittsburgh) on **Thursday May 24 at 6:30 pm**. The event is **FREE**. Reserve a space by email:

**HARRISBURGH PATRIOT NEWS**

**From Early Bird** Marcellus Shale Coalition touts industry's success in Pennsylvania at Capitol rally With natural gas prices slightly more than half of what they were a year ago and drilling rigs moving out of the state to more lucrative plays, the Marcellus Shale Coalition is touting job growth for Pennsylvanians. At a rally on the Capitol steps Monday, the industry group attempted to counter two of the most persistent criticisms leveled at its jobs claims: that the jobs are temporary, nonunion work and too often go to out-of-state workers from places such as Texas and Oklahoma. Workers with the Laborers' International Union of North America provided Marcellus Shale Coalition President Katie Klaber a blaze-orange backdrop. They cheered as their union's legislative director, Abe Amoros, described the expansion of union job opportunities as a result of the shale boom. "Marcellus Shale has been a tremendous boost for our members," Amoros said. "We're glad these jobs are here to stay and will be around for at least a generation." Mike Narcavage, an executive with Chesapeake Energy, a company drilling for gas in Pennsylvania, spoke of a brain-drain "boomerang." People who had left Pennsylvania for work are returning because of opportunities that have opened up in the Marcellus Shale industries, he said. Increasingly, he said, Pennsylvanians are being hired for drilling industry jobs. Kristi Cellitti, a 24-year-old mother of two, took the rostrum and said she "didn't think twice" about leaving her state job at CareerLink for a position in Halliburton's Muncy office. In 2010, she said, the Halliburton office had 40 employees. Today, it has close to 500. She acknowledged not all of them are from Pennsylvania. "We have several, several locals," she said.

**WILLIAMSPORT SUN-GAZETTE**

**From Early Bird** \$380M gas pipeline to be built in region A Pennsylvania company plans to invest \$380 million to expand natural gas pipelines in the state, and ultimately link to markets in New Jersey and New York. Penn Virginia Resource Partners LP, of Radnor, said Monday that some of the expansions to its Lycoming County pipeline in central Pennsylvania will begin in the next two weeks and be finished later this year. Other parts of the project will continue through 2018. CEO William H. Shea Jr. said in a statement that the expansions are part of a long-term plan to help bring the bountiful gas production from the state's Marcellus Shale to markets in the northeast and New England, where heating oil is used extensively. Shea said the company has signed a 20-year distribution agreement with a subsidiary of Royal Dutch Shell PLC, as well as agreements with Southwestern Energy Co. and Range Resources Co. to extend an existing pipeline an additional 19 miles into Tioga County. The new project eventually will connect PVR's existing pipeline to Shell's system in Bradford County. The company said it ultimately plans to connect its pipelines to the Tennessee Gas Pipeline, an El Paso Co. project that stretches from the Gulf of Mexico to Canada. Steve Milbourne, director of Investor Relations, said two systems of pipelines are being expanded: a larger one north and west of Williamsport, and another one east of the city. He described the work as phase III of the project.

**POCONO RECORD**

**From Early Bird Editorial: Name that chemical** New federal disclosure rules mark another positive step toward monitoring the safety of natural gas drilling. Earlier this month the Obama administration announced it will require companies drilling for oil and natural gas on public and Indian lands to publicly disclose chemicals used in hydraulic fracturing operations. This is important in states like Pennsylvania, large portions of which lie atop the gas-rich Marcellus Shale deposit. The new rules are now in a 60-day public comment period. They will also set guidelines on proper well building and disposal of the massive quantities of wastewater that accompanies the drilling process. Government's primary duty is to protect citizens' health and safety. People should know what chemicals drillers use during the hydrofracturing, or "fracking," process drillers use to obtain the gas. Most drilling in the Keystone State is occurring on private lands, but Pennsylvania has leased roughly 700,000 acres of its 2.1 million-acre state forest system to drilling companies. About 175 Marcellus Shale gas wells have been drilled in the state forests or other publicly owned land. The new rules are far from perfect. As originally proposed, they called for drillers to file disclosure reports before drilling, but pressure from the gas industry that the measure would cause delays resulted in changes to allow disclosure after drilling operations are in place. They require reports of the substances, though not the exact formulas, a nod to industry concerns over trade secrets. Because drilling includes chemicals like benzene, toluene, ethylbenzene and xylene, all potentially dangerous to health, many drilling critics will be up in arms regardless of the exact formulas used in the fracking process. Numerous instances of water pollution have already been linked to drilling. And the disclosure rules don't apply to drilling on private land. So requiring that companies make this information available for their drilling activities on public lands will supply only a partial picture. Still, the new rules will help give citizens some ability to track what gas drillers are putting into the ground in their region. That's a good thing.

**WILKES-BARRE CITIZENS' VOICE**

**Testing shows spills didn't pollute** Drilling mud spills from construction of a natural gas pipeline did not pollute Leonards Creek, according to results of testing by the state Department of Environmental Protection and Wilkes University's Institute for Energy and Environmental Research for Northeast Pennsylvania. Since the beginning of the month, there have been five spills totaling at least 6,000 gallons of water containing bentonite, a type of clay used in drilling, at two Dallas Township sites: Leonards Creek on Kunkle Road and at the intersection of Upper Demunds Road and Goodleigh Road. The spills occurred when a contractor was drilling beneath wetlands to install a pipeline that will ultimately connect natural gas wells in Susquehanna County to the Transco interstate pipeline in Dallas Township. The pipeline project was started by Chief Gathering LLC, but recently sold along with other assets to PVR Partners.

**TOWANDA DAILY REVIEW**

**Protecting the environment** There are many people who are concerned about the effects that gas drilling is having on our environment. But locally, there is a company of people who are working their hardest to prevent contamination to the area's beautiful waterways and aquifers. The main goal of Big West Oil Field Services is to provide a good quality containment system that will prevent contamination. And there is one local man working for Big West who is proud of his company's goals and environmental standards and concerns. "They pay a lot of attention to making sure it's contained," said Rob Smith, Pennsylvania operations manager for Big West.

**Possible methane gas migration issue investigated in Leroy Twp.** DEP's Oil and Gas Program and Chesapeake Energy are investigating a "possible" methane gas migration issue in Leroy Township that was first reported to DEP on Saturday evening, May 19, according to a news release from DEP. DEP stated that two private drinking water wells have methane in the headspace and have been vented, and there has also been gas bubbling documented in nearby wetlands. According to DEP, Chesapeake's Morse well pad contains two wells and is about one-half mile from the impacted private wells. DEP said it has sampled four private wells in the area, and no methane has been detected inside any of the homes. Meanwhile, Chesapeake's consultant is screening all private wells within a 2,500 foot radius of the Morse pad.

**JOHNSTOWN TRIBUNE DEMOCRAT**

More than 600 jobs to be generated by power plant project

HOMER CITY — One of the largest local construction projects ever is just lifting off the ground, and there's still time to land a good job. But experience helps. Only 70 workers are currently on the job, doing ground preparation work for two 15-story scrubbers — anti-pollution devices that will be installed at the Homer City Generating Station by early 2014. That's little more than 10 percent of the 600-person construction work force expected to swarm over the \$750 million work site by fall. "Most of them are expected to come from local union halls," GE spokesman Andy Katell of Stamford, Conn., said at the plant Monday. "And this is important: Think of all the indirect jobs that will be created, all kinds of goods and services." General Electric owns the coal-fired, 1,884-megawatt plant that generates enough power for 2 million homes. ... The scrubbers are being installed to meet with stringent new air-pollution rules that will take effect in 2014.

Sewage tanks allow Highland to meet state mandates JOHNSTOWN — Spending nearly \$2 million and angering hundreds of customers to crack down on stormwater inflow issues hasn't solved overflow problems in Highland Sewer and Water Authority's sanitary sewage system. But a pair of 2-million-gallon holding tanks under construction above Ohio Street will allow the surges to be treated gradually and bring that section of the authority's system into compliance with state mandates, Highland Manager Edward Englehart said during a tour of the \$8.8 million project. The huge tanks are designed to take in excess sewage flows that are typical following heavy rainstorms. Sewage can be gradually discharged back into the main sewers, called interceptors, and then on to Johnstown Redevelopment Authority's Dornick Point treatment plant in West Taylor Township.

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## WASHINGTON, D.C.

**WASHINGTON POST**

From Early Bird Letter: Take cleanup of the Potomac a step further I am glad to see the attention the impaired Potomac River is receiving, but I want to point out that one fountainhead of pollution is not mentioned enough in the local media. Both the District and Alexandria are legally permitted, during "significant" rains, to discharge raw sewage from our homes, schools, office buildings and more straight into tributaries of the Potomac through combined sewer and storm-water systems. I am all for cleaning up the surface water running off urban, suburban and rural lands, as explained so well in "Recipe for a healthy Potomac" [Local Opinions, May 20]. But we must not ignore the fact that when it rains a significant amount, many of us are flushing our toilets directly into the Nation's River.

From Early Bird Environmentalists urge Obama to attend Rio Earth summit The leaders of nearly two dozen environmental groups called on President Obama to attend next month's Rio+20 Earth Summit in Rio de Janeiro, underscoring the uncertainty that continues to cloud the historic meeting. More than 130 presidents, prime ministers and other heads of state have committed to attend the conference from June 20 to 22, which is also known as the United Nations Conference on Sustainable Development. But many experts question whether the session — coming 20 years after a U.N. summit in Rio that concluded with three global environmental treaties — will produce a meaningful outcome. And the White House has not said whether Obama will travel there.Occupied with the European financial crisis, leaders such as Germany's Chancellor Angela Merkel and Britain's prime minister David Cameron have opted out of attending the summit. But several significant world leaders, such as Russian president Vladimir Putin, will come to Rio.

From Early Bird Has the passion gone out of America's fabled love affair with the automobile? The 389-cubic-inch overhead-cam V-8 holds a sweet spot in many aging hearts, but their grandchildren are more likely to lust after a 1-terabyte hard drive streaming video to a high-resolution screen. "Today, it's not the most critical thing in the world to have the most exciting car," said Jim Wangers, 85, known as "the godfather" of the Pontiac GTO, which helped define the muscle car era. "In the 1960s it was absolutely mandatory that you had a swinging set of wheels. Now, personal mobility has been replaced by personal mobility on the Web." America's fabled love affair with the car hasn't ended, but like many a romance that gets off to a smoking-hot start, it has evolved over the years into more placid coexistence rooted more in need than pleasure. There are a multitude of reasons: The roads don't seem so free or open as they were when the affair blossomed after World War II. Congestion and the pillory at the gas pump have reined in some of the wanderlust.

**WTOP RADIO**

From Early Bird Future area flooding prompts changes to building plans WASHINGTON - The Washington region could be facing more flooding of the Potomac River, Chesapeake Bay, even the National Mall in a few years. Residents could also expect longer periods of drought and more severe storms. It's not catastrophic, but it is enough for some planners to urge precautions to deal with global warming. Antonio Busalacchi from the University of Maryland Earth Systems Science Interdisciplinary Center says those precaution should include how land is used and developed and roads are constructed. "The decisions we make now, will impact us for decades to come," Busalacchi says. Stuart Freudberg, director of Environmental Programs at the Washington area Council of Governments says some of the fixes that may be needed are not that complex or expensive. "Your walls a little higher, your storm water pipe is a little bigger" Freudberg says in advising governments in how to respond to rising water levels. Freudberg says improvements have to last 50 to a 100 years so you have to look at the effect of climate change. The group which gathered Monday at COG headquarters in D.C. says the local impact of climate change is already evident in more flooding, more severe storms, and in recent years more drought. "We just look at the weather that we've seen in recent years and recent decades, I think a lot of people understand that there's something different going on" says Busalacci.

**ASSOCIATED PRESS (DC)**

From Early Bird 2 former workers at District Department of Environment sentenced in bribery case WASHINGTON — Two former District Department of the Environment employees have been sentenced in a case involving taking bribes to overlook alleged environmental violations at a construction site in southwest Washington. Fifty-two-year-old Joe L. Parrish of Windsor Mill, Md. and 60-year-old Gregory A. Scott of Temple Hills, Md. were both sentenced to a year in prison on Monday. They each pleaded guilty in March to one count of solicitation and receipt of a bribe by a public official. According to prosecutors, in the summer of 2011, Scott and Parrish told construction managers at the southwest Washington site that they found violations in the handling of hazardous asbestos material that could result in fines of up to \$300,000. They then agreed to accept \$20,000 in bribes to overlook the alleged problems.

**HLNtv.COM**

What's in that sippy cup? Toxin battle hits D.C.  
You skip right past any children's toy, bottle or bowl that doesn't have a 'BPA Free' label. You dutifully pay the extra 30-cents for a crisp, organic apple instead of feeding your family a conventional one grown with God-knows-what. And when it's time to paint a room, you'd sooner keep the walls bare than use a non-low VOC paint. You also hate cancer. And birth defects. And that is why a "Stroller Brigade" swept across the nation's capitol today: Because while parents and millions of other Americans are expressing serious concern with their voices and wallets about harmful chemicals in everyday items, lawmakers have so far proven mostly reluctant to limit their use. But with the Safe Chemicals Act of 2011 nearing closer to a vote in the Senate Environment and Public Works Committee, this angry army of moms, dads, nurses, cancer survivors and lots and lots of children see a major opportunity to fix that.

## DELAWARE

### DELAWARE CAPE GAZETTE

From Early Bird With help from friends, Lewes mayor pedals to office Lewes — Twenty-five local cyclists converged on Lewes Mayor Jim Ford's house along Savannah Road at 8 a.m. May 18 to ride their bikes with him to his city hall office. It's an annual bike ride aimed at promoting a healthy, active lifestyle in Lewes. Cyclists took a short tour of the city before ending at Ford's office. "Call me when you want to ride, and I'd be happy to go, as long as I don't have a meeting," Ford said following the ride. National Bike Month has been a busy one in the Cape Region. In addition to Bike to Work Day, on May 4 Cape Henlopen students participated in Bike to School Day and on May 16 Sussex Cyclists hosted the eighth annual Ride of Silence. On May 17 in Lewes City Hall, state officials unveiled an extensive network of trails and pathways including an extension of the Junction and Breakwater Trail into Lewes, an extension of a trail around Gordons Pond in Cape Henlopen State Park and the Georgetown to Lewes Rail Trail.

### ASSOCIATED PRESS (Del.)

From Early Bird Del. inland bay dredging not likely this year MILLSBORO, Del. (WTW) — A Delaware official says there isn't any money in the budget for dredging of smaller inland bay waterways. David Small, the deputy secretary of the Delaware Department of Natural Resources and Environmental Control, says that because of attrition of staff and equipment, the state's ability to perform the work has also decreased. Local representatives met with DNREC officials this month about the issue. Rep. John Adkins says he would like to see a permanent funding source so mud flats and sand bars don't emerge at low tide. The lawmaker says boating is declining because boat owners can't get in and out at low tide and boat slips are a significant revenue source for Millsboro. Adkins says many restaurants also serve patrons who arrive by boat.

### NEWSWORKS

Delaware congressional delegation hosts grant fair and workshop Delawareans have the opportunity today to learn more about the process of seeking grant opportunities at a workshop in Dover. Senators Chris Coons and Tom Carper and Congressman John Carney are hosting the Grant Fair and Workshop from 9:30 a.m. until 2:30 p.m. at Delaware State University's MLK Student Center. "This event will give grant seekers an opportunity to ask questions and get answers to help them with the grant application process," Carper said. Coons said elected officials regularly get calls about federal grant opportunities. "Researching, writing and applying for grants can be a daunting process and we want to do all we can to make the system easier and more accessible for small business owners, entrepreneurs and non-profits," Coons added. Participants in the event include the **Environmental Protection Agency**, Boeing, Delaware Community Foundation, PSEG, and various agencies and financial instutitons. For additional information send an e-mail to [DEGrants@mail.house](mailto:DEGrants@mail.house) or call the delegation's Delaware offices.

### PENN ENVIRONMENT

Clean Cars Triple Win Would Save Pennsylvanians \$2.3 billion this SummerAs Pennsylvanians get ready for summer road trips, a PennEnvironment Research & Policy Center report finds that cleaner, more fuel efficient cars would significantly slash oil consumption and global warming pollution across the state. The report, Summer on the Road: Going Farther on a Gallon of Gas, was released as the Obama administration is on the verge of finalizing fuel efficiency and global warming pollution standards for cars and light trucks that achieve a 54.5 mpg standard by 2025. "Cleaner cars can help Pennsylvanians travel to beautiful places like the Poconos, our wonderful state parks, and the Jersey Shore, without creating as much of the pollution that threatens those very places," said Adam Garber, Field Director at PennEnvironment. "As hot as this summer is shaping up to be, the last thing we need is more oil burning in our cars and more global warming pollution heating up our atmosphere. But in some of the cars and trucks out there today, a gallon of gas disappears more quickly than a snowball in July. Let's beat the heat by getting cleaner cars on the road with the Obama administration's proposed clean car standard." If the cars and trucks on the road today met the proposed 54.5 mpg standard, it would slash statewide oil dependence by 603,464,419 gallons and cut our global warming pollution by 5,321,459 metric tons this summer alone. That's the equivalent of taking nearly 5 coal plants offline for the whole summer. Those savings mean we would burn less cash too, saving the average Pennsylvania family \$467.61 at the pump in a summer.

## WEST VIRGINIA

### CHARLESTON GAZETTE

From Early Bird Editorial: Extremes: Climate change (Sunday) Last year, America suffered historic weather calamities: disastrous tornadoes, severe floods, extended drought, record-breaking snowfall, raging wildfires, etc. Federal agencies say \$52 billion in property loss was inflicted, and more than 1,000 Americans died in weather ravages. This year brought the warmest March ever known, breaking about 15,000 local U.S. heat records. Early tornadoes again left



wreckage and death. Scientists say the violent weather is solid evidence that fossil fuel fumes are girdling Planet Earth with greenhouse gases that produce global warming and climate change. Warmer air holds more moisture, producing more extreme storms. A new study by Yale and George Mason university pollsters found that 70 percent of Americans now believe that "global warming is affecting the weather." Yale professor Anthony Laiserowitz commented: "People are starting to connect the dots." Subsequently, a worldwide "connect the dots" demonstration took place May 5 by environmentalist groups led by reformer Bill McKibben. Some events:

**From Early Bird Blog:** Swint: Rep. Capito's EPA attacks a 'fool's errand' The EPA signaled last week that it intends to appeal a federal court ruling overturning its veto of a key water pollution permit for one of West Virginia's largest mountaintop removal mines.U.S. District Judge Amy Berman Jackson in Washington, D.C., ruled in March that the EPA exceeded its authority in January 2011 when it revoked a Clean Water Act permit that the U.S. Army Corps of Engineer had issued for the project years earlier.In siding with St. Louis-based Arch Coal, she declared the permits for the 2,300-acre Spruce No. 1 mine in Logan County remain valid.When Capito heard about the appeal, she issued a statement saying the EPA "won't take no for an answer" because it has a "radical, anti-coal agenda." But Swint contends it's Capito's rhetoric that's radical and calls her a puppet of the industry."I've heard all my life that 'Coal is West Virginia,'" Swint said. "I disagree. West Virginia is West Virginia, and there just so happens to be other businesses and industries that call our state home." He says politicians who constantly complain of a "war on coal" are out of touch with the reality that mining employment has increased in West Virginia since President Barack Obama took office.Capito's spokesman didn't immediately respond to messages Monday, but in a recent interview with The Associated Press, Capito said she supports a comprehensive national energy plan that includes not only coal but also natural gas and solar power

**From Early Bird Blog:** 'Banning cars that fly': Coal faces the market West Virginia political leaders and media personalities don't much like it when some uncomfortable facts get interjected into their "war on coal" narrative about the Obama administration and the efforts of the U.S. Environmental Protection Agency to reduce coal's impacts on the environment, public health, and the global climate. Hoppy Kercheval over at West Virginia MetroNews was reduced to babbling about "environmental extremist acolytes" in a commentary in which he tried almost desperately to avoid talking about how the Obama administration's crackdown on mountaintop removal hadn't brought the coal industry crashing down after all — that the number of coal miners working in West Virginia has actually increased since President Obama took office. Hoppy made brief mention that "some in the anti-coal crowd" are pointing to these facts, but he couldn't be bothered to actually give readers of his commentary the actual figures. I doubt anyone really expects much discussion of these positive employment figures during the series of taxpayer-funded meetings the Coal Forum is hosting starting tomorrow here in Charleston to provide the industry a forum to attack President Obama. Industry officials and their political allies are likely to talk more about the layoffs that have been announced in the coal industry so far this calendar year. By my quick count, those layoffs confirmed as occurring in West Virginia add up to roughly 600 workers. Even if you account for those layoffs, though, coal employment remains above pre-Obama levels. Some companies have announced larger figures for their layoffs, but haven't specified how many job losses occurred in West Virginia (see here and here). Even if all of those jobs losses were counted, total coal-mining employment in West Virginia still increased for nine straight quarters, through the first quarter of 2012 (See comments section below). What you can expect to hear about is a fairly recent report issued by Bloomberg Government, "The Twilight of Coal-Fired Power? The EPA's New Standards for Greenhouse Gases." The Coal Forum has promoted the report on its website, and copies are being distributed to the local media. The Coal Forum's site listed these three conclusions, quoted word-for-word from the Bloomberg report

**From Early Bird** Water company to reconsider project funding cuts CHARLESTON, W.Va. -- Officials for West Virginia American Water have agreed to take another look at funding local water projects. Last summer, water company officials slashed funding for public-private water partnerships all over the state, saying budget constraints kept them from providing any money to help with local water projects. The water company backed out of several commitments, including a \$1.1 million promise to help bring water to about 145 families in the Leatherwood and Reamer Hill areas of Kanawha County. That move came after the state Public Service Commission gave the utility a much smaller rate increase than requested last year. In October, officials from Kanawha County and seven other public service districts around the state went to the PSC to try to force the water company to continue providing funding and other help for water projects. Officials on both sides have been meeting since then to try to work out a compromise. Representatives from the water company and the public service districts agreed on a proposed settlement last week. "It means the water company is back in the water business, to an extent," said Colt Sandoro, special administrative assistant to Kanawha County Manager Jennifer Sayre. Sandoro was among those at last week's mediation meeting.

**From Early Bird** St. Albans High School receives sewage upgrade to avoid baseball field flooding CHARLESTON, W.Va. -- St. Albans City Council members approved an upgrade of the sewage system near the high school Tuesday evening that should alleviate problems with flooding at the school's baseball field. The upgrade will cost the Kanawha County Board of Education about \$40,000 and the city about \$20,000, according to Mayor Dick Callaway. Callaway said the baseball team's schedule has been interrupted in the past due to heavy rains, and the reconstruction of storm drains on Hudson Street will help avoid future overflow on the field. "This has been an issue for a while. When the school was constructed, there were problems with the engineering of the building, and all of the rainwater is diverted from the building and parking lot down to the baseball field and the surrounding area," Callaway said. "We have a very nice field, but we run into problems when heavy rains happen. This should resolve that." Callaway said the city is happy to work with the school board to better the baseball team's playing conditions. "This is a Board of Education problem, so they're paying for the majority of the project. But, we're happy to be able to work with them in order to help solve this problem that has been affecting our students and their families," he said. "We are going to do our part to accommodate any additional needs."

**From Early Bird** 200 acres overlooking Smoke Hole protected CHARLESTON, W.Va. -- A 200-acre tract of cliffs and canyon rim overlooking Smoke Hole Canyon has been protected forever through a conservation easement donated to the West Virginia Outdoor Heritage Conservation Fund by landowners William and Erik Puffenberger. "This project protects one of the rarest plant communities in West Virginia and an important view from the Big Bend Campground and in Smoke Hole Canyon," said Terrell Ellis of Charleston, who chairs the conservation fund's board. "Thanks to the Puffenbergers' great love for their property and their desire to protect these and other important values, this land will be forever protected from development." The conservation of the Puffenberger tract was announced Monday following a ceremony at the site. The property, which adjoins the Monongahela National Forest's Spruce Knob-Seneca Rocks National Recreation Area, has been used as a hunting retreat by three generations of the Puffenberger family. Under the terms of the easement, the family will continue to own and hunt on the land, but development of the tract will be restricted. The Puffenberger tract, located atop Cave Mountain in Pendleton County, supports such rare plant communities as limestone glades and white cedar woodlands, found only in the central Appalachians. A single cliff on the property is known to contain at least seven rare plant species. Rodney Bartgis, state director for The Nature Conservancy in West Virginia, which assisted in negotiating the Puffenberger easement, said the future for some rare species found on the tract depends upon the preservation of the natural habitats of Smoke Hole and Cave Mountain. "This easement is a perfect example of the conservation commitment landowners often have for their land," Bartgis said. "The family loves to hunt. While they certainly could have sold their land for development, they were very serious about making sure they were leaving something for future generations to enjoy."

**From Early Bird** City gets grant for walkway design, improvements CHARLESTON, W.Va. -- Final design of a Slack Plaza makeover could start this fall under a federal grant City Council members approved Monday. But folks hoping for a quick fix to the 1980s-era pedestrian bottleneck, as envisioned by a design team last summer..



KEYSER MINERAL NEWS

EDITORIAL: Time to hear from the 'silent majority' in Keyser

Keyser, W.Va. — Wednesday night's Keyser City Council meeting promises to be momentous, with both near-term and far-reaching implications for the city of Keyser and the people who call it home. For the sake of those who live here, and those who will, the good people of Keyser must stand up and make their voices heard. ... This meeting looms large in the annals of Keyser, with some very weighty issues to be considered, namely what to do about improving the water system and become compliant with Chesapeake Bay cleanup standards related to a new sewage treatment plant. Silence is golden, it is said, but silence can also be corrosive. Martin Luther King Jr. observed that “The hottest place in hell is reserved for those who remain neutral in times of great moral conflict.” If one accepts that our lives are measured in large part by the world we bequeath our children, and that the actions of a free citizenry have the most profound effect at those levels of government that are nearest the people, then it counts as a moral imperative that the people of Keyser must take sides in this debate. It is time for the silent majority in Keyser to rise and support the duly elected leadership of this community.

WDTV 5 NEWS

Raese Slams EPA, Manchin During Rally

John Raese took time on Monday to slam the Federal Environmental Protection Agency along with Senator Joe Manchin. Using the Albright Power Station as a backdrop, Raese said Manchin has failed to fight the EPA. He also worries what we'll do in the Mountain State when coal fired power plants start to close. Earlier this year, First Energy announced plans to close three local plants, including the Albright Station in Preston County. They said they made the decision based on new federal regulations. Those regulations require companies to retrofit older plants with technology that would limit emissions. Raese claims Manchin hasn't done enough to fight those regulations. "Here's a man that's already implemented his key piece of legislation," Raese said. "(That's) West Virginia's cap-and-trade, House Bill 103. We have it right now, which means 25 percent of the coal that goes into our power plants has to be alternative or renewable energy."

MARYLAND

BALTIMORE SUN

From Early Bird O'Malley to sign law banning arsenic in chicken feed Maryland is set to become the first state in the nation to outlaw chicken feed additives containing arsenic - but it won't be the last, if environmental activists have their way. Gov.Martin O'Malley is scheduled to sign into law today legislation that bars sale or use of any chicken feed containing Roxarsone, which has been widely used since the 1940s by the poultry industry. It would become effective Jan. 1. Environmental and food safety advocates say they hope to push for similar legislation in other states, including neighboring Virginia. Roxarsone had been used to prevent disease and plump chickens up. But the drug's maker, a subsidiary of Pfizer Inc., voluntarily suspended sales last year after a Food and Drug Administration study found low levels of inorganic arsenic, a carcinogen, in the livers of birds given the veterinary drug. Other studies have found arsenic in poultry manure and in water ways by crop fields fertilized with the birds' waste. Proponents of the ban argued that use of Roxarsone was adding 25,000 to 30,000 pounds of arsenic to Maryland's soil and waters annually. Supporters and representatives of the poultry industry argued that the state should leave the issue to the FDA, and that Maryland farmers would be at a competitive disadvantage if Roxarsone went back on the market. But proponents argued that the state needed to act because the drug's maker could resume sales at any time, since the FDA had not formally barred it. "Today Maryland shows the nation how to stand up for food safety and the environment," Del. Tom Hucker, D-Montgomery County, the main House sponsor of the legislation, said in a statement. Sen. Paul Pinsky, D-Prince George's County, championed the measure in the Senate.

From Early Bird Letter: Mikulski should support federal fisheries act The Chesapeake Bay and our coastal areas have always been a staple of Maryland. Throughout the years, I've witnessed the literal and figurative ebb and flow of the tides in hopes that someone would take the initiative to protect the future of our state's abundant fishing and recreational opportunities. I believe that the recently introduced Fisheries Investment and Regulatory Relief Act of 2012 (FIRRA) would provide the funding needed to ensure that our rich Maryland fishing traditions remain strong and our coastal communities continue to be a place for Maryland residents and visitors to enjoy. With dwindling federal funds, FIRRA would provide dedicated funding critical to helping our fishing and ocean communities. The funds would come from money already collected from import duties and would be used for science-based fisheries management, which was the original intent of the funds collected. Instead, the money currently goes to the National Oceanic and Atmospheric Administration (NOAA) to cover their overhead expenses. I would like to see local fishermen and coastal communities here in Maryland benefit from FIRRA, and I am happy to see a plan that doesn't further dig into the pockets of taxpayers. I encourage Sen. Barbara Mikulski to protect the Chesapeake and our Maryland traditions by supporting FIRRA.

Gas pipeline raises concerns about safety, environment

Columbia Gas Transmission's underground pipeline runs alongside David Raymond's house in Cockeysville today, as it did when he bought the place 30 years ago, quietly delivering natural gas to Baltimore County and beyond without incident. Still, Raymond stands with dozens of others — including the Maryland Department of Natural Resources, state legislators and the Gunpowder Riverkeeper — raising questions about or in opposition to a proposed 21.4-mile line running along much the same route from Owings Mills to Fallston. The company operates about 200 miles of pipeline in Maryland and has had few failures along the routes here, and none that hurt anyone, according to regulatory filings. Concerns about pipeline safety have been raised in public hearings nonetheless, along with fears about harm to property values and the environment. Raymond is among a group of neighbors off Falls Road who have hired a lawyer to represent them, but he said, "We're not saying we're going to go to court" to stop the project. "We just want advice" about discussions with the company, he said — both to limit potential damage to the neighborhood and to "make sure we get the best settlement" for any property Columbia takes.

Maryland ban on arsenic in chicken feed to spread? Maryland is set to become the first state in the nation to outlaw chicken feed additives containing arsenic - but it won't be the last, if environmental activists have their way. Gov.Martin O'Malley is scheduled to sign into law today legislation that bars sale or use of any chicken feed containing Roxarsone, which has been widely used since the 1940s by the poultry industry. It would become effective Jan. 1. Environmental and food safety advocates say they hope to push for similar legislation in other states, including neighboring Virginia.

Commentary: Good stewardship should be required of all farmers Congress may soon finalize the 2012 Farm Bill, and that hefty document should concern all of us in Maryland — especially when it comes to clean water. As we all know, the Chesapeake Bay is the nation's largest and most productive estuary. However, the bay is threatened by pollution from its major tributaries, including fertilizer-laden waters from farmlands. Each summer, nutrient runoff leads to algal growth, resulting in oxygen depletion as the algae decays. The loss of dissolved oxygen causes more than a third of the Chesapeake Bay to become a "dead zone." Roughly every five years, the U.S. Farm Bill determines how tens of billions of federal tax dollars will be spent to shape American food, agriculture and conservation practices. The last bill, passed in 2008, was called the Food, Conservation, and Energy Act of 2008 and carried a price tag of \$288 billion. ... -- *Bob Benson is president of the Bethesda Chevy Chase Chapter of the Izaak Walton League of America.*

**SALI SBURY DAILY TIMES**

**From Early Bird** Tanger Outlets cited for air pollution WEST OCEAN CITY -- State environmental officials have cited a contractor and Tanger Outlets for air pollution violations connected to building renovations. The Maryland Department of the Environment issued a notice of violation to outlet management and to Premier Exteriors LLC, of South Carolina, for failure to take reasonable precautions to prevent air pollution. According to a complaint, the contractors weren't properly cleaning up after themselves while using polystyrene products. The polystyrene reportedly was being used to re-shape storefronts during ongoing renovations at the former Ocean City Factory Outlets. Kathy Phillips, executive director of Assateague Coastal Trust, filed the complaint April 28. She said while grocery shopping at the Tanger Outlets, she spotted plastic bits blowing through the air and scattered on the pavement. She looked across the parking lot to see workers installing corner accents on pitched roofs in carved Styrofoam design elements. "The parking lot was literally just covered in drift from the little tiny pellets that result from sawing that stuff up and the dust from it," she said. Phillips feared the pieces would wash into storm drains, so she took photos and sent them to MDE water compliance inspectors. The complaint ultimately was handled by the air quality division, she said, because the plastic particles first had been airborne. "This stuff is plastic," she said. "It doesn't go away. It's broken down into these little pellets. Fish, crab, birds, they think it's food. They consume it. It makes them feel like they're full. So they stop eating, and then they die."

**ASSOCIATED PRESS (Md.)**

**From Early Bird** O'Malley to sign chicken arsenic ban ANNAPOLIS — Gov. Martin O'Malley is scheduled to sign a variety of legislation recently passed by the General Assembly. O'Malley is set to sign a bill that would make Maryland the first state to ban an arsenic additive in chicken feed.He's also scheduled to sign a measure requiring all Maryland public schools to keep epinephrine on hand for students in the event of a life-threatening allergic reaction.

O'Malley signs chicken arsenic ban

ANNAPOLIS, Md. (AP) — Maryland next year will become the first state to ban an arsenic additive in chicken feed.Gov. Martin O'Malley signed the measure into law on Tuesday along with scores of other bills, including reforms to Maryland's estate tax to help protect family farms and an increase of the allowable high school dropout age from 16 to 17 in 2015 and to 18 in 2017. Delegate Tom Hucker, D-Montgomery, described the ban on the additive in chicken feed as a health and environmental benefit. The measure bans roxarsone, a chemical that's used to help chickens grow and fight parasites. Pfizer Inc., the company that produces roxarsone, stopped selling the chemical in July after a U.S. Food and Drug Administration study found higher inorganic arsenic levels in chickens given the additive.

Judge weighs dismissal of Frederick County development dispute FREDERICK, Md. — A Frederick County judge is considering dismissing a lawsuit filed by several environmental groups challenging the county's plan to increase development potential by about 50 percent. The Frederick News-Post (<http://bit.ly/Jtx2Um> ) reports that Circuit Judge Julie Solt will issue a written opinion based on arguments she heard Tuesday.The Chesapeake Bay Foundation and the Audubon Society of Central Maryland are among the plaintiffs seeking to stop the all-Republican Board of County Commissioners from rewriting a comprehensive land-use plan adopted in 2010 by their slow-growth predecessors. The Maryland Department of Planning supports the plaintiffs' claim that population projections don't justify the proposed increase in development potential. The changes could add as many as 17,000 more homes.

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# VIRGINIA

**RICHMOND TIMES-DISPATCH**

**From Early Bird** James River can be deceptively dangerous (Saturday) RICHMOND, Va. -- The mighty James River in Richmond can delight you, and it can hurt you. "The river is dangerous," said long-time James swimmer Donald Joyner, 31, as roaring, coffee-colored waters rushed limbs and logs past Belle Isle on Wednesday. If you aren't familiar with the James, Joyner said, you can easily get swept away. This is a particularly dangerous time of year for swimmers, waders and rock hoppers. Spring rains, even miles upriver, can quickly make the James higher and more powerful, taking visitors by surprise. And while the air is warm, the water will be cool until about mid-June. If you end up in it, your muscles can lose their dexterity, making it hard for you to swim to safety. "The biggest thing to remember is the James is just so unpredictable," said Richmond fire Lt. Robbie Hagaman. "It's a good environment. It's a lot of fun. But we've got to be careful. We've got to play by the rules." The rules include a city requirement that people stay out of the river, unless they are wearing life jackets, when the water level tops 5 feet at a gauge near the Huguenot Bridge. And when the river hits 9 feet, you can't go in the water without a city permit, usually sought by paddlers. The fire department has responded to more than 30 river calls this year, Hagaman said. About half involved rescues. In a typical scenario, someone wades out to a rock, the river comes up, and that person either can't get back or gets swept away trying. Or someone slips off a rock into rushing waters.

**From Early Bird** Virginia Beach hearing set on uranium mining (Sunday) The National Academy of Sciences will hold a May 31 hearing in Virginia Beach to give a public briefing on its uranium mining report looking at Virginia. The NAS last December released a study assessing the prospect of mining in Virginia even as a private company seeks clearance to mine a Pittsylvania County deposit rich in the ore used as fuel in nuclear power plants. The report concluded that health and environmental issues need to be addressed as the state considers whether to lift Virginia's 30-year mining moratorium. Mining proponents say the industry will enhance Virginia's economy, but critics say it will harm the environment. The meeting will be held at the Hilton Oceanfront Virginia Beach, 3001 Atlantic Ave., starting at 6:30 that evening.

**NORFOLK VIRGINIAN-PILOT**

**From Early Bird** Developer fined for moving slowly on rare-frog habitat ISLE OF WIGHT COUNTY -- The barking tree frog is a threatened species in Virginia, known to live and breed in just five counties, including this rural one along the James River. It is the largest frog in Virginia - and quirky, too, with platelike suckers on its fingers and a penchant for mating after heavy rains. Now, the developer of a luxury subdivision in Isle of Wight County with its fair share of trouble must pay an environmental fine for an offense as rare as the frog: The company did not build a frog conservation zone as quickly or completely as required in state permits. The unusual protection project has since been completed, albeit years late and costing thousands of dollars. Still, state wildlife officials are not sure whether the finished product is actually helping the threatened species. One memo from the Virginia Department of Environmental Quality suggests that the much more common American bullfrog, a competitor for food and shelter, may have muscled in instead. State officials could not say whether any other developer has had to construct an artificial frog habitat before. But in 2005, regulators told the development company, VA Timberline LLC, that it must do so to compensate for potential losses of natural habitat within its proposed subdivision. "It was kind of a test, a trial," said Amy Ewing, who has monitored the project in recent years for the Virginia Department of Game and Inland Fisheries. "We wish things had turned out better. But we learned a lot, and the habitat is there." Such is the latest twist in the tale of Lawnes Point on the James, an upscale housing getaway planned for 1,300 acres of waterfront land, scenic bluffs and dense forest. Historic Fort Huger, where cannonballs were shot at Union ships during the Civil War, is on the property.

**NEWPORT NEWS DAILY PRESS**

**From Early Bird** Hampton Roads tries to find flexibility in mandated recycling (Saturday) As local governments cut budgets and raise fees and taxes to help shore up revenue, the cost and necessity of municipal recycling programs have come under scrutiny from elected officials and community residents. Under state law local governments must recycle. Since 1989 Virginia has specified annual recycling rates for local governments. The rate started at 10 percent and eventually increased to 25 percent in 1995. In 2006 a new law created two different recycling rates based on population. Rural localities with populations of less than 100 people per square mile qualify for a 15 percent recycling rate. Larger localities still have a rate of 25 percent. Steve Coe, environmental program specialist with the Virginia Department of Environmental Quality, said the law effectively means that local governments must have some kind of recycling services available to citizen, but it does not specify what kind of services must be provided. York County and the City of Hampton are currently weighing cost issues with their curbside recycling programs. York pays \$800,000 a year for a contract with a private company for curbside recycling. Hampton operates its own curbside recycling program at a cost of \$2.2 million, which includes employees...

**NORTHERN VIRGINIA DAILY**

**From Early Bird** Frederick County looks at higher water, sewer rates Frederick County residents can expect to pay more for water and sewer to offset the local cost of stricter protections for the Chesapeake Bay Watershed. The Frederick County Sanitation Authority plans to hold a public hearing on proposed water and sewer rates at 6 p.m. Tuesday in the agency office, 315 Tasker Road, Stephens City. Higher costs to treat water and transport wastewater prompt the need to raise rates, according to authority Director Uwe Weindel. However, the rising costs of providing the utilities comes as a result of stricter rules protecting the Chesapeake Bay Watershed, Weindel said Monday. The authority currently charges a minimum of \$21.38 for the first 2,000 gallons of water and \$27.85 for sewer in a two-month period at a standard home meter. Customers pay \$3.69 per 1,000 gallons of water and \$4.42 for sewer in excess of the minimum. The authority proposes to raise the base rate for water by 15 percent and sewer by 20 percent -- \$24.58 and \$33.42 respectively. If approved, customers would see their annual base water bills rise increase from \$128.28 to \$147.48. According to information provided on the authority's website, the agency proposes to increase the levy to \$3.94 per 1,000 gallons of water used over the minimum. The authority proposed increasing the sewer consumption rate to \$4.72 per 1,000 gallons in excess of the minimum.

**TRI CITIES.COM**

Virginia study to look at public health impact of coal mining  
Coal mining opponents increasingly cite a series of recent studies that draw a link between mining and poor public health, but not everyone is convinced of their validity. Among the skeptics are researchers at the Edward Via College of Osteopathic Medicine, a school affiliated with Virginia Tech that has begun a three-year study to assess whether there truly is a connection. Dixie Tooke-Rawlins, dean and executive vice president of VCOM, said the project began with a three-month review of existing research on the issue. "There has just been a tremendous amount of information on health and coal communities; a lot of it is negative," she said. But...I grew up in rural Missouri, and there were a lot of the same diseases." ... The focus of the study, she said, will be on five chronic conditions: heart disease, cancer, hypertension, diabetes and obesity. It will focus on sites where VCOM has residency programs: Bluefield and Danville. Tooke-Rawlins said she has a hypothesis: "Coal mining in a community is not any worse than any other industry that has an impact on the environment and health."

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## MI SCCELLANEOUS

**BNA DAILY ENVIRONMENT REPORT**

**From Early Bird** EPA to Provide Deadlines for District of Columbia Stormwater Permits EPA will provide the District of Columbia with explicit deadlines for meeting interim and final stormwater discharge permit requirements, following an agreement reached with environmental groups. The agreement would require the District of Columbia to develop a stormwater management implementation plan with explicit schedules for reducing stormwater runoff and meeting water quality standards for the Chesapeake Bay. At issue was a stormwater discharge permit that EPA issued in September 2011 for the District of Columbia's municipal separate stormwater sewer system, or MS4. The Natural Resources Defense Council, Earthjustice, and several other environmental groups challenged this permit before the agency's Environmental Appeals Board in November, alleging the permit lacked legally enforceable deadlines for meeting Clean Water Act

obligations (216 DEN A-8, 11/8/11). Under the terms of the agreement, EPA said it would insert clear and explicit interim and final deadlines in the permit for the District of Columbia to meet its stormwater discharge obligations, Rebecca Hammer, NRDC's water program attorney, told BNA. EPA Region 3 spokesman David Sternberg said EPA has 55 days from the date of the agreement to issue a draft notice of proposed changes to the permit. The agency will then spend another 180 days before it takes final action on these changes, he said. EPA would meet the 180-day deadline provided it has completed its consultation with other agencies to comply with the Endangered Species Act.

**From Early Bird** EPA to Specify Logging Roads Need No Water Discharge Permits EPA says it will issue a rule to specify that logging roads do not need discharge permits for stormwater runoff from logging roads. The rule is intended to protect the status quo on logging roads—on both public and private land—by specifying that they should be operated under best management practices, often developed by states, rather than regulated with National Pollutant Discharge Elimination System permits under Section 402 of the Clean Water Act. The rule responds to a federal appeals court decision saying permits are required for logging road discharges, but EPA cites a section of the act which it says allows for “a range of regulatory and non-regulatory approaches.”

**NEW YORK TIMES**

**From Early Bird** Editorial: E.P.A. and the Spruce Mine The Environmental Protection Agency last year revoked a permit for a planned, 2,278-acre West Virginia coal mine that encapsulated everything wrong with a particularly destructive form of strip mining known as mountaintop removal. Two months ago, however, in a wrongheaded decision, a Federal District Court judge ruled that the agency had not only exceeded its authority but resorted to “magical thinking” to justify its action. The agency has announced that it would appeal the judge’s decision. This is exactly the right move, on two counts. First, the Spruce No. 1 mine would have buried 6.6 miles of streams under tons of mining waste, inflicting permanent damage on the environment and local communities. Second, it is important for the E.P.A. to assert its authority under the Clean Water Act at a time when both the law and the agency are under fire in Congress. Judge Amy Berman Jackson’s ruling turned on whether the agency had the authority to retroactively rescind a permit that had already been granted by the Army Corps of Engineers. She ruled that it did not — that rescinding an approved permit was, in fact, a “stunning power for an agency to arrogate to itself.” As the agency pointed out, Section 404 of the Clean Water Act gives the E.P.A. broad authority to protect water quality, including the power to “withdraw” a permit “whenever” it determines that a project will cause unacceptable damage to the environment. This authority has been used rarely, but it is there. Mountaintop mining involves blasting the tops off mountain ridges to expose subsurface coal seams, then dumping the rubble below. Thousands of miles of streams in Appalachia have been destroyed in this way. The administration is right to stop this mine as part of its broader campaign to halt a ruinous and unnecessary practice.

**ASSOCIATED PRESS**

**From Early Bird** Study: NJ coast not as polluted as thought ATLANTIC CITY, N.J. - A new study by Rutgers University finds that New Jersey’s coastal waters are not as polluted as scientists had thought. Marine scientists studying pollution-sensitive sea creatures on the ocean floor since 2007 found their numbers and types indicate healthier water conditions than expected. The study involved scooping small animals from 153 ocean floor sites along New Jersey’s 127-mile coastline from Sandy Hook to Cape May. "Conditions were actually pretty good, pretty healthy," said Michael Kennish, the project's lead investigator. While state and federal officials declared New Jersey’s near-shore waters as 100 percent impaired in 2004, there were no major die-offs of fish or bottom-dwelling sea creatures. That prompted the Rutgers team to wonder why, and to look more closely at exactly what type of animals were on the ocean floor. The scientists did not find that the waters were clean, but that they were cleaner than expected. The survey found 28 percent of the sites sampled in 2007 and 2009 were rated as unpolluted, based on the high percentage of pollution-sensitive animals living there. The remaining 72 percent were considered slightly polluted. "We just didn't find a heavily impacted environment," Kennish said. "What we saw was typical of what you would see in a healthy community." The researchers collected samples from a vessel equipped with an underwater shovel called a Van Veen Grab, designed to take precisely measured bites of the bottom. The scientists washed each sample through a sieve, preserved all the animals that remained, and brought them back to shore for sorting, counting and identification. They collected about 113,000 organisms from 273 different species. Other research techniques were used as well to complement the ocean floor data. The key was seeing what types of small bottom-dwelling animals are present in a given location. In healthy areas, animals like clams, snails and shrimp can be expected, along with tinier invertebrates. In contrast, in heavily polluted areas, one would expect to find different types of animals dominating the environment, like certain species of worms that not only tolerate but thrive on sewage sludge, for example. That sort of environment was rarely encountered, Kennish said. He said the study also shows that dissolved oxygen levels are not the only way to determine the health of coastal waters.

**HUFFINGTON POST (blog)**

**NPR Takes a Deeper Look Into Fracking Boom** Last week, National Public Radio (NPR) took a deeper look into the natural gas boom in the U.S. The special series, *The Fracking Boom: Missing Answers*, questions what the gas boom is doing to the air and water in communities where fracking has become a household name. The NPR series explores the question "Are these wells creating harmful pollutants?" and dives deep to identify issues caused from the more than 200,000 wells drilled in the U.S. in just under a decade. .... After reading and listening to this well-researched NPR series on the U.S. fracking boom, it's very clear to me that referring to natural gas as a cheap, homegrown solution to our nation's energy crisis is absurd. The promise of economic recovery, job growth and community wealth is an illusion that the fossil fuel industry's propaganda machine is selling to the American people. Sacrificing human health and the environment in the name of corporate profits is criminal. We need to educate our fellow Americans about the risks associated with continued use of fossil fuels and support policies that will transition our nation to relying on cleaner, renewable sources of energy.